

### **REMARKS**

The Office Action dated April 7, 2005 has been fully considered by the Applicant.

The indication that Claims 1 through 11 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph, is gratefully acknowledged. Accordingly, independent Claim 1 has been amended to confirm that the top of the vertical unit is substantially closed, that one end of the horizontal unit is substantially closed, and that the vertical unit includes a fluid inlet and a gas outlet. Accordingly, it is believed that the rejection under 35 U.S.C. §112, second paragraph, has been fully addressed.

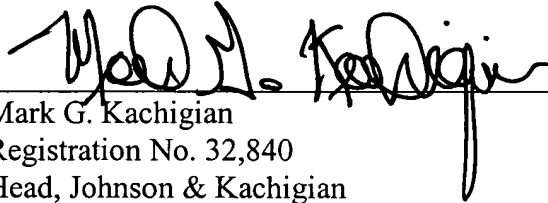
The rejection of Claims 1 through 11 under 35 U.S.C. §112, first paragraph, based on a disclosure which is not enabling is respectfully traversed. It is respectfully submitted that while oil and water outlets are helpful to the operation of the invention, they are not critical or essential in that the device will serve to separate fluids and gases into three phases without such outlets. Nevertheless, it is respectfully submitted that both a water outlet and an oil outlet are shown on existing Figure 1 of the drawing in the specification. These have been labeled in a photocopy of Figure 1 submitted herewith for ease of understanding. Additionally, reference numeral 60 has been added for the water or brine outlet and reference numeral 62 has been added for the hydrocarbon liquid or oil outlet. Accordingly, a water or brine outlet and hydrocarbon liquid outlet have also been added to independent Claim 1. No new matter has been added. It is believed that the rejection under 35 U.S.C. §112, first paragraph, has been fully addressed.

Claims 2 through 11 are dependent on Claim 1 and are believed allowable for the same reasons.

Finally, Claim 11 has been amended to rely on Claim 10 as suggested by the Examiner.

It is believed that the foregoing is fully responsive to the outstanding Office Action. If any other issues remain, a telephone conference with the Examiner is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark G. Kachigian", written over a horizontal line.

Mark G. Kachigian  
Registration No. 32,840  
Head, Johnson & Kachigian  
228 West 17<sup>th</sup> Place  
Tulsa, Oklahoma 74119  
(918) 587-2000  
Attorneys for Applicant

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